



ENVIRONMENTAL & REGULATORY SERVICES DIVISION  
BUREAU OF PECFA  
P.O. Box 8044  
Madison, Wisconsin 53708-8044  
TDD #: (608) 264-8777

Jim Doyle, Governor  
Jack L. Fischer, A.I.A., Secretary

## Wisconsin Department of Commerce, Bureau of PECFA Bid Document

### SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

**Bid Round:** 52  
**Comm #:** 53959-1475-21-A  
**BRRTS #:** 03-57-207281  
**Site Name:** Zobel Construction  
**Site Address:** 321 Warehouse Rd , Reedsburg, 53959  
**Site Manager:** Hank Kuehling  
**Address:** 3911 Fish Hatchery Rd  
**City, State Zip:** Fitchburg, WI 53711-5367  
**Phone:** 608-275-3286  
**e-mail:** hank.kuehling@wisconsin.gov  
**Bid Manager:** Gena M. Larson  
**Address:** P.O. Box 8044  
**City, State Zip:** Madison, Wisconsin 53708-8044  
**Phone:** (608) 261-5404  
**e-mail:** Gena.Larson@Wisconsin.Gov

<b>Bid-Start Date:</b>	<b>December 03, 2007</b>
<b>Questions must be received by (See Section 2 (B)):</b>	<b>December 17, 2007, 4:00 PM</b>
<b>Responses will be posted by (See Section 2 (B)):</b>	<b>January 04, 2008</b>
<b>Bid-End Date and Time:</b>	<b>January 18, 2008, 4:00 PM</b>

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

Ivize-Madison, 1 E Main, Madison, WI 53703  
Phone: (608) 663-1041 Fax: (608) 663-1045

## **SECTION 2 – Site-Specific Bid Requirements**

### **General Comments**

The Zobel Construction site (the Property) is located at 321 Veterans Drive (formerly Warehouse Road). The site previously included a 10,000 gallon unleaded gasoline UST and a 10,000 gallon diesel fuel UST that were removed and replaced with a 500 gallon unleaded gas AST and a 5,000 gallon diesel AST in 1999.

The site is relatively flat with soil that is, in general, approximately 8 feet deep, consisting of light brown to brown, very fine to medium-grained sand. Underlying this soil is tan to white, very fine to medium-grained sandstone.

The watertable is between 8 and 16 feet below ground surface and has a very shallow gradient. Groundwater flow direction was initially assumed to be to the south toward the Baraboo River, but more recent information indicates that flow direction is variable but generally to the northeast. Monitoring well nest information indicates that vertical flow is downward.

Eight monitoring wells were installed for the site in 1999-2000, three additional wells were installed in 2003, and two additional wells were installed in 2005. Up to eleven rounds of groundwater monitoring were completed in the older wells between 1999 and April 2007 and six rounds have been completed in the newer wells. High levels of PVOCs have been found in MW-1 and MW-9. Free product was found and recovered from MW-1 in the past but only very small amounts have been found in this well in 2007.

No water supply wells are known to exist within at least 1,000 feet of this site.

For more details about site geology, the groundwater flow system, current site conditions regarding the degree and extent of soil and groundwater contamination, and other site information, please review the following documents:

“LUST Investigation Report, Zobel Construction”; dated January 15, 2003, by METCO.

“Zobel Construction – Summary Report (Public Bid Round 37)”, dated June 12, 2007, by METCO.

To reduce copy costs, DNR has provided to the listed copy shop only a portion of the two submittals noted. Additional and useful site information, including those documents listed above, is contained in the case file at the DNR South Central Region office at 3911 Fish Hatchery Road, Fitchburg, WI, 53711. To view this file, contact Wendy Weihemuller at 608.275.3212.

### **Minimum Remedial Requirements**

Install one 2-inch-diameter piezometer in compliance with ch. NR 141, Wis. Adm. Code, to form a well nest with MW-9. The piezometer should utilize a 5-foot long screen that is approximately 27 feet below the top of the screen of MW-9 with which it is paired. Because the water table is within the sandstone at the site, air rotary drilling equipment will be necessary for well installation. All forms associated with monitoring well installation required in ch. NR 141 must be submitted in the report required below.

Following the installation of the piezometer, conduct groundwater sampling and analysis quarterly for four rounds for the following monitoring wells associated with this site: MW-1; MW-5; MW-6; P-7 (last two rounds only with DNR approval); MW-

8; MW-9; MW-10; P-11; MW-12; and the new piezometer required above. Analyze the groundwater samples for petroleum volatile organic compounds (PVOCs) including benzene, ethylbenzene, toluene, xylenes, trimethylbenzenes, and methyl tert-butyl ether, plus naphthalene. Also collect and analyze samples from MW-12 for volatile organic compounds in the first round only of groundwater monitoring.

If free product is present in MW-1 or any other monitoring well, all efforts should be employed to attempt to obtain a groundwater analytical sample. In the case of the presence of free product, purge the free product before sampling and use a bottom discharge sampling device to help prevent any free product from being incorporated in the sample vial. Consequently, bidders should include in their bid the analytical and sampling costs for all wells listed above for each monitoring round.

Measure groundwater elevations, based on National Geodetic Survey data, in all monitoring wells, including piezometers, in each of the required monitoring rounds and include the results in tabular form in the reports required below. Prepare a groundwater flow map, including equipotential contour lines and flow direction arrows, for the watertable observation wells and a separate one for the piezometers. These flow maps shall be prepared for each sampling round and be included in the semi-annual reports required below.

Inspect monitoring well MW-1 during each of the groundwater monitoring events for the presence of free product. If present, measure the thickness of the product present in the well with a product interface probe (report product thickness and water level), remove the product with absorbent socks or by bailing, if the product thickness warrants bailing, and record the amount of product removed. If product is not present, report the water level. Report all of this information in the reports required below. Complete these inspection and product measurement activities prior to the well purging and sampling required above.

The bid shall include costs for disposal of all investigative waste; in this case, purge water and soil. All waste barrels generated from site work activities must be labeled and placed in an inconspicuous place on the site and removed from the site within two weeks of each sampling round. Dispose of the waste in accordance with s. NR 716.11(6), Wis. Adm. Code.

Submit semi-annually a report to the DNR project manager, and a copy to the Department of Commerce, that includes a table or tables of the groundwater quality data, along with all previously reported groundwater data, and water level measurement results, and associated groundwater flow direction and contour maps, for each monitoring round. The laboratory analytical report sheets for the reporting period must also be included.

Also include in the report: a table of the free-product thicknesses measured before each monitoring event; a summary of the collection of free product; all forms required by the Department for the piezometer installation; and a description of any other work activities completed in accordance with this bid.

### **SECTION 3 - Reporting Timeframes**

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

#### Claim Submittal

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

#### Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

## **SECTION 4 - Conditions of Bid**

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

## SECTION 5 - Instructions to Bidders

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed or sent electronically (email) to the program. Documents received by fax or email will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

## **SECTION 6 - Bidder Disqualification**

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

1. Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
2. Failed to complete the scope of work in a bid in a timely manner.
3. Failed to follow DNR rules on the bid project.
4. Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
5. In any prior occurrence that has been publicly bid, failed to do either of the following:
  - a. Pay subcontractors after receiving payment for them.
  - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
6. Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
7. Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

## BID RESPONSE

(1<sup>st</sup> Page)

Department of Commerce PECFA Program

**SITE NAME: Zobel Construction**

**COMMERCE #: 53959-1475-21**

**BRRTS #: 03-57-207281**

Submit Bid Response To: Cathy Voges  
Public Bid Response  
Department of Commerce PECFA Bureau  
201 W Washington Ave, Madison WI 53703-2760 or  
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: \_\_\_\_\_

Complete Mailing \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: (     ) - \_\_\_\_\_

Fax Number: (     ) - \_\_\_\_\_

E-mail Address: \_\_\_\_\_

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License # _____
<input type="checkbox"/>	Professional Geologist	License # _____
<input type="checkbox"/>	Hydrologist	License # _____
<input type="checkbox"/>	Soil Scientist	License # _____



Use this box to certify (by marking with a check or X) a commitment to complete the work described in the bid specifications in its entirety for the Total Bid Amount proposed below. Failure to provide this performance assurance will disqualify this bid response. Providing unsolicited qualifications and/or contingency statements in your bid submittal will disqualify the bid response.

Total Bid Amount: \$ \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: \_\_\_\_\_



## BID RESPONSE

(2<sup>nd</sup> Page)

Department of Commerce PECFA Program

**SITE NAME: Zobel Construction**

**COMMERCE #: 53959-1475-21**

**BRRTS #: 03-57-207281**

**Consulting Firm Name:** \_\_\_\_\_

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

1	Piezometer installation, documentation, and associated waste disposal	\$
2	First two rounds of quarterly groundwater monitoring to include water level measurements and addressing free product as specified in the bid document, semi-annual report as specified in section 2, and electronic reporting to Commerce in compliance with section 3.	\$
3	Additional two rounds of quarterly groundwater monitoring to include water level measurements and addressing free product as specified in the bid document, final semi-annual report as specified in section 2, and electronic reporting to Commerce in compliance with section 3.	\$
4	PECFA Claim Preparation	\$
5	<b>Total Bid Amount</b>	<b>\$</b>